

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Special Protection Force – Suits - O.A.No. 8216/2012 and 8221/2012 filed by P.Sekhar Goud, CT 2955 and 25 others and G.Nagaraju, CT 3170 and 25 others of SPF respectively to count the 9 (nine) months of training period of S.P.F constables for pensionary benefits as per G.O. 178, Finance (Pen-I) Dept, dated 17-5-2010 – payment of pay and allowances for the period beyond institutional training of nine months and reckon the said period for regularization probation and all consequential benefits – Orders – Issued.

Home (Ser.III) Department

G.O.Rt.No. 615

Dated:16-5-2014
Read the following:-

1. Orders of Hon'ble A.P.A.T. dated 12-10-2012 in OA No. 8216/2012.
2. From the Director General, SPF, Rc.No. O.A.Nos 8216/2012 and 8221/2012/SPF/2012, dt: 23.11.2012.

ORDER:

In the letter 2nd read above, the Director General, Special Protection Force, has informed that the Govt. vide Memo.No. 19732/Pol.H/1999-1, dt: 26.6.1999 have accorded permission to recruit 787 Constables in SPF subject to the condition that appointment orders shall be issued only after sanction of posts.

2. Subsequently, Government have decided that the proposal of recruitment of constables be done through the Corporatisation route and not by the conventional route of raising induction force. Accordingly, the Government vide Memo.No. 38782/Police.H/2000-1 dated: 20.10.2000 directed the Inspector General, SPF that the proposal of recruitment of constables should be done through the Corporatisation route and not by the conventional route of raising induction force. Accordingly, call letters were issued to the individuals to undergo 9 months basic training from 06.04.2001 and the proposals were also submitted to the Government for creation of A.P Special Protection force Corporation. In the meantime, some of the SPF employees on the fear that their services may not be certain if the A.P. Special Protection Force Corporation is formed and filed W.P.No. 7361 of 2001 against the creation of A.P. Special Protection Force Corporation and obtained "Status-Quo" orders on 16.05.2001 in W.P.M.P.No. 12470 of 2001 in W.P.No. 7361 of 2001. In view of the interim orders of the Hon'ble Court, the process of creation of A.P. Special Protection Force Corporation was stalled till final outcome of the W.P.No. 7361 of 2001. The Stipendiary Constables who were under going basic training from 06.04.2001 have completed the scheduled period of 9 months. Since the matter of creation of A.P. Special Protection Force Corporation was not further processed in view of interim orders of Hon'ble Court, the Government has extended the basic training from time to time till orders of the Hon'ble Court were received. Finally the Hon'ble Court passed orders in W.P.No. 7361 of 2001 on 10.01.2003 directing the respondents to enroll the selected candidates pursuant to the notification issued in Rc.No. A1/158/SPF/2001 dated: 21.03.2001 as per provisions of ASSPF Act 25 of 1991 only.

3. Government finally issued orders in G.O.Ms.No. 40 Home (Ser.III) Dept, dt: 10.02.2003 according sanction for absorption of Stipendiary Trainee Constables into Special Protection Force in the existing vacancies under Special Protection Force Act and rules for which they were originally recruited. Accordingly, the stipendiary Trainee Constables who under went 23 months basic training were absorbed and appointment orders were issued in the month of 3/2003.

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4. Subsequently, some of the constables who have been recruited through the said notification have filed O.A.No.s 8216/2012 and 8221/2012 in the Hon'ble A.P.A.T. requesting to count their service from the date of attending the basic training i.e., 06.04.2001 as the notification was issued for A.P. Special Protection Force and not for A.P. Special Protection Force Corporation. The Hon'ble Tribunal in O.A.Nos 8216/2012 and 8221/2012 passed interim orders on 02.11.2012 directing the respondents to dispose of the representations of the applicants in these two O.As.

5. Government, after careful examination of the proposals of the D.G., Special Protection Force A.P., Secunderabad and keeping in view of the direction of the Hon'ble Tribunal, hereby order to reckon the initial nine months training period as qualifying service for the purpose of pensionary benefits as per G.O.178, dated 17-5-2010 of Finance Department. The Pay and allowances of the individuals shall be regulated for the period of 14 months i.e. beyond institutional training of 9 months duly deducting the stipend already disbursed and shall be reckoned for regularization of service and probation declaration and all consequential benefits.

6. The Director General. SPF, Andhra Pradesh., is requested to take necessary action in the matter.

7. This orders issues with the concurrence of Fin (SMPC-I) Department vide their U.O.No.22848/891/A3/SMPC-I/13, dt. 10-12-13.

T.P.DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General, Special Protection Force, A.P, Sec.bad.
The Accountant General, Andhra Pradesh, Hyderabad.

//FORWARDED:: BY ORDER //

SECTION OFFICER